

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

SPENCER GARDNER,  
Plaintiff,

v.

MISSOULA COUNTY, et al.,

Defendants.

CV 23-146-M-DLC

ORDER

This matter comes before the Court on a prisoner civil rights complaint filed pursuant to 42 U.S.C. § 1983 by Spencer Gardner (“Gardner”). (Doc. 2.) Gardner generally alleges the Defendants have interfered and/or unreasonably denied him adequate dental and medical care. *See generally* (*Id.* at 4-11.)

Gardner submitted a motion to proceed in forma pauperis (“IFP”) but did not provide a copy of his inmate account statement. (*See* Doc. 1.) The IFP motion explains that Gardner is required to provide a “statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months.” (*Id.* at 1, ¶ 1.) Gardner was also advised of this requirement via a letter sent by the Clerk of Court on November 27, 2023.

Gardner must provide the requisite account statement before the Court can rule on the IFP motion and continue with prescreening his complaint and

associated motions. Gardner is advised that if the Court does grant his IFP motion, he still will be required to pay the statutory \$350.00 filing fee in monthly installments. *See* 28 U.S.C. § 1915(b)(1)-(2).

Based on the foregoing, the Court issues the following:

**ORDER**

The Court RESERVES ruling on Gardner's Motion for Leave to Proceed in Forma Pauperis (Doc. 1). Within **21 days** of this Order, Gardner must provide a copy of his inmate account statement for the last 6 months. A failure to file an account statement may result in dismissal of this matter without further notice to Gardner.

Gardner must immediately notify the Court of any change in his mailing address by filing a "Notice of Change of Address." Failure to do so may result in dismissal of this case.

DATED this 4<sup>th</sup> day of December, 2023.

/s/ Dana L. Christensen  
Dana L. Christensen  
United States District Court Judge